

Before the Board of Supervisors County of Placer, State of California

In the matter of: Granting a Wetlands Conservation
Easement to the Tahoe City Public Utility District and
the North Tahoe Fire Protection District

Resolution No.: 2020-018

The following Resolution was duly passed by the Board of Supervisors of the County of Placer
at a regular meeting held January 28, 2020, by the following vote on roll call:

Ayes: WEYGANDT, HOLMES, GUSTAFSON, GORE

Noes: NONE

Absent: UHLER

Signed and approved by me after its passage.


Chair, Board of Supervisors

Attest:


Clerk of said Board

WHEREAS, the Tahoe City Public Utility District ("TCPUD"), in 2010-2012 constructed the Lakeside Trail Project – Phases 5-7, which project impacted jurisdictional wetlands and, therefore, required the establishment of compensatory mitigation wetlands complying with Federal and State regulations; and

WHEREAS, the North Tahoe Fire Protection District ("NTFPD"), in 2010-2012 constructed their Public Safety Center Project, which project impacted jurisdictional wetlands and, therefore, required the establishment of compensatory mitigation wetlands complying with Federal and State regulations; and

WHEREAS, the County of Placer ("County") is the owner of the real property commonly referred to as Assessor's Parcel No. 094-190-026 ("Property"), which Property was determined by the TCPUD and NTFPD to be the best alternative location for their required compensatory mitigation wetlands; and

WHEREAS, the California Regional Water Quality Control Board – Lahontan Region ("CRWQCB") issued the *Orders for Clean Water Act Section 401 Water Quality Certification* for

the TCPUD and NTFPD projects establishing the TCPUD's and NTFPD's respective compensatory mitigation requirements for their wetlands impacts; and

WHEREAS, the TCPUD and NTFPD, on August 18, 2011, entered into a *Memorandum of Understanding and Cost Sharing Agreement* (MOU) to jointly design, permit, construct, operate, maintain, and monitor a constructed compensatory mitigation wetlands project; and

WHEREAS, the TCPUD and NTFPD have requested a perpetual wetlands conservation easement from the County to protect the wetlands values of the compensatory mitigation wetlands area and to comply with the regulatory requirements of the *Orders for Clean Water Act Section 401 Water Quality Certification* issued by the CRWQCB; and

WHEREAS, County, TCPUD, NTFPD, and CRWQCB have negotiated a mutually agreeable perpetual wetlands conservation easement agreement.

NOW, THEREFORE, BE IT RESOLVED,

1. The Placer County Board of Supervisors approves the wetlands conservation easement agreement, in substantial conformance with the draft copy attached hereto.
2. The Board further authorizes the Director of Public Works or his designee, with county counsel review and approval, to approve any future revisions which do not substantially alter the obligations of Placer County under the wetlands conservation easement.
3. The Board further finds that the acceptance of the wetlands conservation easement is necessary for the operation of the Lakeside Trail Phase 5-7 facility, is necessary for the perpetual protection of the compensatory mitigation wetlands area, and is in the public interest and the interest of the TCPUD.
4. The Director of Public Works is hereby authorized and directed to accept and execute, with county counsel review and approval, said wetlands conservation easement agreement for and on behalf of the Placer County.